

AO 440 (Rev 1/90) Summons in a Civil Action

United States District Court

SOUTHERN

NEW YORK

DISTRICT OF

MASON TENDERS DISTRICT COUNCIL
WELFARE FUND, et al.,

Plaintiffs,

SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER: 07,CV

HORIZON GROUP OF NEW ENGLAND, INC.
and TRAVELERS CASUALTY AND SURETY COMPANY
OF AMERICA,

Defendants.

07 CIV 3770

JUDGE SAND

TO: (Name and Address of Defendant)

HORIZON GROUP OF NEW ENGLAND, INC.
122 OLD KARNER ROAD
ALBANY, NEW YORK 12205

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
1500 MARKET STREET, SUITE 2900
PHILADELPHIA, PENNSYLVANIA 19102

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

GORLICK, KRAVITZ & LISTHAUS, P.C.
17 STATE STREET, 4TH FLOOR
NEW YORK, NEW YORK 10004

20

an answer to the complaint which is herewith served upon you, within _____ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

J. MICHAEL McMAHON

MAY 14 2007

CLERK

DATE

Mano Quintero

BY DEPUTY CLERK

GORLICK, KRAVITZ & LISTHAUS, P.C.
 Michael J. Vollbrecht, Esq. (MV 1118)
 17 State Street, 4th Floor
 New York, New York 10004
 (212) 269-2500
 MVollbrecht@gkllaw.com

Attorneys for Plaintiffs
 UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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MASON TENDERS DISTRICT COUNCIL	:
WELFARE FUND, PENSION FUND, ANNUITY	:
FUND, and TRAINING PROGRAM FUND, and	:
JOHN J. VIRGA, in his fiduciary capacity as Director,	:
	:
Plaintiffs,	:
	:
- against -	:
	:
HORIZON GROUP OF NEW ENGLAND, INC. AND	:
TRAVELERS CASUALTY AND SURETY COMPANY	:
OF NEW YORK,	:
	:
Defendants.	:
-----X	

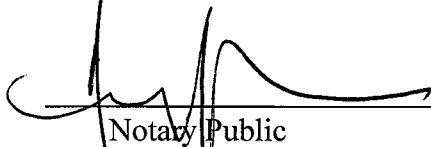
STATE OF NEW YORK)
)
 COUNTY OF NEW YORK)

TIFFANY LEWIS, being duly sworn, deposes and says that on June 7, 2007 at approximately 1:00 p.m. at the offices of the State of New York Insurance Department, deponent served a true and correct copy of the Summons and Complaint upon TRAVELERS CASUALTY AND SURETY COMPANY OF NEW YORK, by delivering to and leaving with Keiko Omori of the State of New York Insurance Department, located at 25 Beaver Street, New York, New York 10004.

Ms. Omori, is a female, approximately 50 years of age, stands approximately 5 feet 0 inches tall, weighs approximately 115 pounds with brown eyes and pepper hair. A copy of the State of New York Insurance Department receipt of service is annexed hereto as Exhibit A.


Tiffany Lewis

Sworn to before me this
11th day of June, 2007.


Notary Public

DENNIS E. TOREGGIANI
Notary Public, State of New York
No. 02TO6119910
Qualified in Kings County
Commission Expires December 6, 2008

NEW YORK STATE INSURANCE DEPARTMENT

Nº 12604

DATE June 7 2007 CK# 25917

RECEIVED OF Gorlick, Kravetz & Lusthaus

Forty DOLLARS
Mason Tenders District Council Welfare
Fund v. Travelers Casualty & Surety Company of
Recd. Edward Thompson & Assoc.
Legal Asst.
\$ 40.00

By: